

**STATE BOARD OF FUNERAL AND CEMETERY SERVICE BOARD MEETING
THURSDAY AUGUST 7, 2014
INDIANA GOVERNMENT CENTER SOUTH
302 W WASHINGTON STREET, ROOM W064
INDIANAPOLIS, IN 46204**

CALL TO ORDER

The meeting was called to order at 11:40 a.m. by David McComb, pursuant to public notice posted at the principal office of the board at least forty-eight (48) hours before the time of the meeting.

BOARD MEMBERS PRESENT: David McComb, Chairman
Samuel Frain, Vice Chairman
Tasha Smith, State Department of Health
James Todd
John Gerlach
Theodore Mau
Roland Cutter

BOARD MEMBERS ABSENT: Anne M. Patterson
Matthew Drury

STATE OFFICIALS PRESENT: Tracy Hicks, Board Director
Kevin McDowell, Deputy Attorney General

ADOPTION OF THE AGENDA

The agenda was adopted as amended.

Frain/Todd
7/0/0
Motion carried.

ADOPTION OF THE MINUTES OF APRIL 3, 2014, JUNE 12, 2014, AND JUNE 26, 2014 MEETINGS OF THE BOARD

A motion was made and seconded to approve the minutes of the April 3, 2014, June 12, 2014, and June 26, 2014 meetings of the board.

Todd/Mau
7/0/0
Motion carried.

OFFICE OF THE ATTORNEY GENERAL REPORT

Written complaint statistic report provided.

ADMINISTRATIVE HEARING IN THE MATTER OF HOWARD JAMES RAINEY, FD08601624, SBFCS 14-06

A motion was made and seconded to place the license on indefinite probation with no right to petition for removal of probation for a period of two years, require documentation proving attendance at the recovery center, AA quarterly attendance logs, impose a fine of \$1000.00 for each of the three violations, impose the costs of the proceedings, and require the payment of \$5.00 to the Health Records and Personal Identifying Information Protection Trust Fund.

Frain/Cutter
4/0/3
Motion carried.

Personal Appearance for Application for Renewal of Funeral Home

1. Glenn G. George & Son Funeral Home, FH19600031

A motion was made to renew the license providing the owner has satisfied all other requirements. Motion failed

Cutter/
Motion failed.

A motion was made and seconded to renew the license providing the owner has satisfied all other renewal requirements and refer to the matter to the Office of the Attorney General for investigation.

Frain/Cutter
Motion failed.

A motion was made and seconded to amend the previous motion to renew the license on indefinite probation with no right to petition for removal of probation for a period of one year, require the crash legal review continuing education course for the owner of the funeral home, and refer to the matter to the Office of the Attorney General for investigation .

Frain/Smith
4/0/3
Motion Carried.

Personal Appearance for Application for Renewal of Certificate of Authority

1. Glenn G. George & Son Funeral Home, CA29700001

A motion was made and seconded to renew the certificate of authority providing the owner has satisfied all other renewal requirements of the funeral home license.

Mau/Gerlach
Motion failed.

A motion was made to amend the previous motion to add referring to the Office of the Attorney General for investigation.

Mau/Gerlach
6/0/1
Motion carried.

Personal Appearance for Application for Certificate of Authority

1. Burns Funeral Home/Murphy-Burns Funeral Home, CA pending

A motion was made and seconded to issue the certificate of authority on indefinite probation with no right to petition for removal of probation for a period of one year, require the owner to attend the crash law review continuing education course, and refer the matter to Office of the Attorney General for investigation.

Frain/Gerlach
6/0/1
Motion carried.

Consideration of Recommended Findings of Fact, Conclusions of Law, and Order

1. John Jacob Whitaker, SBFCS 14-07

A motion was made and seconded to adopt the administrative Law judges order.

Frain/Cutter
4/0/3
Motion carried.

Correspondence from Casmir Pulaski and Lakeview Funeral Home & Crematory

The board does not advise the public or endorse the matter. They will need to refer to the cemetery law.

VERIFIED COMPLAINT REQUESTING RESTITUTION FROM THE PRENEED CONSUMER PROTECTION FUND

B. Robert Gatheridge for William Bert Gatheridge

Re: R.D. Pyke Funeral Service, FH89200005 (Closed)

A motion was made and seconded to approve the request.

Gerlach/Mau
7/0/0
Motion carried.

REVIEW OF CONTINUING EDUCATION SPONSORS AND COURSES

A motion was made and seconded to approve the following sponsors/courses.

Frain/Todd
4/0/3
Motion carried.

APPLICATION FOR RECOGNITION AS A SPONSOR OF CONTINUING EDUCATION

Funeral Service Academy, P.O.Box 449, Pewaukee, WI 53072

- OSHA Compliance Guidance for Funeral Homes, Ongoing, 5 ceu
- Complying with the Federal Trade Commission Funeral Rule, Ongoing, 3 ceu
- Safety within Funeral Homes, Ongoing, 2 ceu
- Funeral Home Safety Overview, Ongoing, 1 ceu

Ohio Cemetery Association, 118 Woodland Avenue, Dayton, OH 45409

- Crematory Operator Certification Seminar, August 7, 2014, 7 ceu

Safety and Environmental Solutions, LLC, 9901 Adams Road, Galena, OH 43021

- OSHA Training, TBD, 3 ceu

NEW COURSES FROM PREVIOUSLY APPROVED SPONSORS

Akron Concrete Products, Inc., CE10800616

- Practice Act Review, Ongoing, 2 ceu

Aurora Casket Company, CE10800648

- A Balanced Cremation Arrangement, September 24, 2014, 3 ceu
- Marketing Funeral Service to Today's Consumer, September 27, 2014, 4 ceu

Cremation Association of North America, CE21200016

- Crematory Operations Certification Prog, September 26, 2014 6 ceu
- Crematory Operations Certification Prog, October 1, 2014 6 ceu
- Crematory Operations Certification Prog, November 6, 2014 6 ceu

Doric Products, CE10800696

- Burial Vaults, September 23&24, 2014, 3 ceu

Federated Funeral Directors of America, CE10800706

- Indiana Pre Need Laws/Reg Overview, Ongoing, 2 ceu
- Indiana Cremation Act, Ongoing, 1 ceu
- Plant Tour – Bio Response Solutions, August 18, 2014, 1 ceu
- Tour – Flanner & Buchanan Cremation Center, August 18, 2014, 1 ceu

Kates-Boylston Publications, CE21100028

- Cremation Strategies Conference, November 12, 2014, 5 ceu
- Funeral Service Business Plan, November 13-14, 2014 12 ceu

Minnick Services, CE10800889

- Cremation Liability-Is Anyone Really Getting Sued, October 7&8, 2014, 4 ceu

Vermilion County Funeral Directors Association CE10800843

- How to Mix Embalming Chemicals, September 30, 2014, 1 ceu
- Embalming Edema Cases, September 30, 2014, 1 ceu
- Incorporating Urns in Your Selection Room, September 30, 2014, 1 ceu
- Funeral Home Merchandising, September 30, 2014, 1 ceu
- Pre-need Insurance, September 30, 2014, 1 ceu
- The Indiana Cremation Act, September 30, 2014, 1 ceu
- The Indiana Pre-need Act, September 30, 2014, 1 ceu
- Vincennes University Mortuary Science, September 30, 2014, 1 ceu

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 1:22 p.m.